IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY NINTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO.13297 of 2004

Between:

Bondili Shyamala Bai W/o. Hanuman Singh
7th ward, Markapuram, Prakasham District.

..... PETITIONER

AND

1 The District Collector, Prakasham District at Ongole.
2 The Mandal Revenue Officer, Marakapuram, Prakasham District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to pass an order or direction or writ under Article 226 of the Constitution of India, more particularly one in the natur of Writ of Mandamus declaring the action of the second respondent in interfering with the peaceful possession and enjoyment of the petitioner over the thatched house erected in an area of 72 square yards in Sy.No.310/2A 1B2 situated at Marakapur town, Prakasham District as bad, illegal, arbitrary and against the principles of natural justice and consequently direct the respondents not to interfere with petitoner's peaceful possession and enjoyment over the said house .

Counsel for the Petitioner: MR. C.DAMODHAR REDDY,Advocate.

Counsel for the Respondents: Govt.Pleader for REVENUE.

The Court made the following:

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Oral Order:

Heard the learned counsel for the petitioner and also learned Government Pleader for Revenue.

Rule Nisi.

Admittedly, petitioner along with others encroached the land to an extent of 72 square yards belongs to the Government and the same was regularized in favour of the petitioner on 25-09-1998. But, now the respondents are trying to dispossess at the instance of petitioner's husband, who left the company long back. Averring so, petitioner filed the present writ petition contending that she should not be dispossessed from the land in question. The proceedings in Roc.No.J/32/98 dated 25-09-1998 enclosed to the affidavit clearly discloses that 72 square yards of land was assigned in favour of the petitioner.

In view of the same, as long as the said assignment is in force and not cancelled, the 2nd respondent shall not dispossess the petitioner from the suit schedule land.

The writ petition is accordingly disposed of. No costs.

_____ A.GOPAL REDDY, J.

29-07-2004

Murthy

ASSISTNAT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District Collector, Prakasham District at Ongole.
2 The Mandal Revenue Officer, Marakapuram, Prakasham District.

3.Two CCs to the Government Pleader for Revenue, High Court

Buildings, Hyderabad (OUT).

4. Two CD copies.